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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,830	12/20/2001	Goran Rune	2380-589	1508

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NIXON & VANDERHYE P.C.  
8th Floor  
1100 North Glebe Road  
Arlington, VA 22201

EXAMINER
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NGUYEN, DAVID Q

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/022,830

Applicant(s)

RUNE ET AL.

Examiner

David Q Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-9, 12-17, 27, 28, 31-35, 38-43, 51 and 52 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 10, 11, 18-26, 29, 30, 36, 37 and 44-50 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4-6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1,3,6-9, 12-13, 15-17, 27-28,32-35,38-39, ,41-43 and 51-52 are rejected under 35 U.S.C. 102(e) as being anticipated by Longoni US 2001/0018345A1 08/30/2001).

Regarding claim 1, Longoni discloses for use in a radio access network having a first control node which controls a first set of base stations and a second control node which controls a second set of base stations, each base station serving a cell (see abstract and page 4), a method comprising transmitting cell information from the second control node to the first control node only when the cell information is not already known by the first control node (see abstract and page 4), the cell information including a set of cell information parameters characterizing a specified cell served by a base station controlled by the second control node (see abstract and page 4).

Regarding claim 27, Longoni discloses a telecommunications network comprising: a radio access network having a first control node and a second control node (see abstract and page 4), each of the first control node and the second control node controlling at least one base station (see abstract and page 4); a signaling link connecting the first control node and the second control node (see abstract and page 4); wherein the second control node transmits cell information from the second control node to the first control node over the signaling link only when the cell information is not already known by the first control node, the cell information

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including a set of cell information parameters characterizing a specified cell served by a base station controlled by the second control node (see explanation in claim 1).

Regarding claims 3,9, 28 and 35, Longoni also discloses sending a request message from the first control node to the second control node, the request message including a cell identifier for the specified cell (see abstract and page 4); sending a response message from the second control node to the first control node; including in the response message both the cell information deemed current by the second control node for the specified cell; and an index which is representative of the cell information deemed current by the second control node for the specified cell (see abstract and page 4).

Regarding claims 6-7 and 32-33, Longoni also discloses wherein the request message requests that the second control node allocate resources in the specified cell for a connection controlled by the first control node (see abstract and page 4); wherein the request message is one of a radio link setup request message and a radio link addition request message (see abstract and page 4).

Regarding claims 8 and 34, Longoni also discloses wherein the request message requests retrieval of cell information for the specified cell from the second control node (see abstract and page 4).

Regarding claims 12-13 and 38-39, Longoni also discloses determining whether the index included in the request message represents cell information which is deemed current by the second control node; sending a response message from the second control node to the first control node; and if the determination of step is negative, including in the response message the

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cell information deemed current by the second control node for the specified cell (see abstract and page 4); the response message an index which is representative of the cell information deemed current by the second control node for the specified cell (see abstract and page 4).

Regarding claims 15-16 and 41-42, Longoni also discloses wherein the request message requests that the second control node allocate resources in the specified cell for a connection controlled by the first control node (see abstract and page 4); wherein the request message is one of a radio link setup request message and a radio link addition request message (see abstract and page 4).

Regarding claims 17 and 43, Longoni also discloses wherein the request message requests retrieval of cell information for the specified cell from the second control node (see abstract and page 4).

Regarding claims 51-52, Longoni also discloses wherein the first control node and the second control node are both radio network control nodes; wherein the first control node is a Serving Radio Network Control (SRNC) node and the second control node is a Drift Radio Network Control (DRNC) (see abstract and page 4).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2,14 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Longoni (US 2002/0052206) in view of 3GPP TS 25.423.

Regarding claims 2,14 and 31, Longoni does not mention determining from a cell identifier for the specified cell whether the specified cell is a valid cell; sending a response message from the second control node to the first control node; and further comprising including in the response message an indication that the specified cell is not a valid cell. However, 3GPP TS 25.423 discloses determining from a cell identifier for the specified cell whether the specified cell is a valid cell; sending a response message from the second control node to the first control node; and further comprising including in the response message an indication that the specified cell is not a valid cell (see 8.3.2.2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the above teaching of 3GPP TS 25.423 to Longoni so that DRNC updates cell information in its database.

***Allowable Subject Matter***

3. Claims 4-5,10-11,18-26,29-30,36-37 and 44-50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 4-5,10-11,29-30 and 36-37, Longoni does not mention wherein the index is of a shorter length than the cell information; forming the index as a counter whose value is changed when configuration data of the specified cell is changed, as specified in claims 4-5 and 36-37.

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Regarding claims 18 and 44, Longoni does not mention wherein the cell information includes a set of cell information parameters which characterizes the specified cell and a set of cell information parameters which characterizes at least one neighboring cell, the neighboring cell being adjacent to the specified cell, as specified in claims 18 and 44.

Claims 19-26 depend on claim 18. Therefore, they are objected.

Claims 45-50 depend on claim 44. Therefore, they are objected.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2002/0052206A1 05/02/2002 Longoni et al. (Cell Load Control Method and System).

US 2002/0164985 A1 11/07/2002 SAADA et al. (Method of improving cooperation between entities during call handover).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 703-605-4254. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Nguyen



DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600